



Attorney Docket No. 5649-1137

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jae-Sun Yun et al.

Confirmation No.: 7804

Serial No.: 10/601,937

Filed: June 23, 2003

For: METHODS OF FORMING TRENCH ISOLATED INTEGRATED CIRCUIT
DEVICES INCLUDING GROOVES, AND TRENCH ISOLATED INTEGRATED
CIRCUIT DEVICES SO FORMED

September 17, 2003

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of June 23, 2003, rather than June 24, 2003, for the above-identified patent application, as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of June 23, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the application showing the Express Mail signature and date on Page 2;
2. A "Track & Confirm" printout from the United States Postal Service ("USPS") website, showing the "acceptance" or deposit date with the USPS as 5:41 p.m. on June 23, 2003; and
3. True and accurate copies of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office ("USPTO"), showing that Applicant was improperly given the filing date of June 24, 2003, instead of the Express Mail date of June 23, 2003.

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of June 23, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Jae-Sun Yun et al.
Serial No.: 10/601,937
Filed: June 23, 2003
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR §1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is Applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 17, 2003.



Susan E. Freedman

Date of Signature: September 17, 2003